

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK**

JOHN STEWART, Individually and on behalf  
of all others similarly situated,

Plaintiff,

v.

PLUG POWER INC., ANDREW MARSH,  
PAUL B. MIDDLETON, DAVID MINDNICH,  
and MARTIN D. HULL,

Defendants.

Case No. 1:23-cv-00704-TJM-CFH

NOTICE OF VOLUNTARY DISMISSAL  
WITHOUT PREJUDICE

CLASS ACTION

PLEASE TAKE NOTICE that pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), Plaintiff John Stewart (“Plaintiff”) hereby voluntarily dismisses, without prejudice, the above-captioned action against all defendants. No defendant has filed an answer or moved for summary judgment. No class has yet been certified. Neither Plaintiff nor his attorneys have received or will receive any consideration for this dismissal.

Dated: June 27, 2023

Respectfully submitted,

**THE ROSEN LAW FIRM, P.A.**

**s/ Phillip Kim**

Phillip Kim, Esq.

Bar Number 4145397

275 Madison Ave., 40th Floor

New York, NY 10016

Tel: (212) 686-1060

Fax: (212) 202-3827

Email: pkim@rosenlegal.com

*Counsel for Plaintiff*

**CERTIFICATE OF SERVICE**

I hereby certify that on June 27, 2023, a true and correct copy of the foregoing document was served by CM/ECF to the parties registered to the Court's CM/ECF system.

**s/ Phillip Kim**